



**MINUTES OF THE REGULAR BOARD OF ALDERMEN MEETING  
OF MONDAY, APRIL 18, 2016  
AT 200 HIGHLANDS BOULEVARD DRIVE**

1. CALL TO ORDER

Mayor David L. Willson called the Regular Board of Aldermen meeting to order at 7:00 p.m.

2. ROLL CALL AND STATEMENT OF QUORUM

Roll call showed those present were Alderman Clement, Alderman Stevens, Alderman Hamill, Alderman Ottenad, Alderman Baumann, Alderman Diehl, Mayor Willson and Attorney Gunn. A quorum was present.

3. APPROVAL OF THE MINUTES

- a. Minutes of the Public Hearing regarding a fence extension and new shelter at 948 Carman Road which was held on Monday, April 4, 2016

Alderman Hamill and Alderman Clement simultaneously made the motion to approve the Minutes of the Public Hearing regarding a fence extension and new shelter at 948 Carman Road which was held on Monday, April 4, 2016. The motion was seconded by Alderman Ottenad and carried unanimously, without objection.

- b. Minutes of the Public Hearing regarding the proposed Lafayette Center Community Improvement District which was held on Monday, April 4, 2016

Alderman Hamill made the motion to approve the Minutes of the Public Hearing regarding the proposed Lafayette Center Community Improvement District which was held on Monday, April 4, 2016. The motion was seconded by Alderman Clement and carried unanimously, without objection.

- c. Minutes of the Public Hearing regarding a Special Use Permit Request for a resale clothing boutique at 801 Second Street which was held on Monday, April 4, 2016

Alderman Hamill and Alderman Clement simultaneously made the motion to approve the Minutes of the Public Hearing regarding a Special Use Permit Request for a resale clothing boutique at 801 Second Street which was held on Monday, April 4, 2016. The motion was seconded by Alderman Ottenad and carried unanimously, without objection.

- d. Minutes of the Monday, April 4, 2016 Public Hearing regarding a text amendment to the City's Code regarding fencing in residential districts

Alderman Hamill made the motion to approve the Minutes of the Public Hearing regarding a text amendment to the City's Code regarding fencing in residential districts which was held on Monday, April 4, 2016. The motion was seconded by Alderman Clement and carried unanimously, without objection.

- e. Minutes of the Monday, April 4, 2016 Public Hearing regarding a text amendment allowing for a special use for financial institutions

Alderman Hamill made the motion to approve the Minutes of the Public Hearing regarding a text amendment to the City's Code regarding allowing for a special use for financial institutions which was held on Monday, April 4, 2016. The motion was seconded by Alderman Clement and carried unanimously, without objection.

- f. Minutes of the Monday, April 4, 2016 Public Hearing regarding a Special Use Permit Request for a financial institution with drive-thru at 14422 Manchester Road

Alderman Hamill and Alderman Clement simultaneously made the motion to approve the Minutes of the Public Hearing regarding a Special Use Permit Request for a financial institution with drive-thru at 14422 Manchester Road which was held on Monday, April 4, 2016. The motion was seconded by Alderman Ottenad and carried unanimously, without objection.

- g. Minutes of the Regular Board of Aldermen meeting of Monday, April 4, 2016

Alderman Hamill made the motion to approve the Minutes of the Regular Board of Aldermen meeting of Monday, April 4, 2016. The motion was seconded by Alderman Clement and carried unanimously, without objection.

#### 4. ESTABLISHMENT OF ORDER OF ITEMS ON THE AGENDA

Mayor Willson announced he would be introducing two boy scouts.

Alderman Clement made the motion to approve the Order of Items on the Agenda as amended. The motion was seconded by Alderman Hamill and carried unanimously, with no objection.

#### 5. CONSIDERATION OF PETITIONS AND COMMENTS FROM THE PUBLIC

- a. Introduction of new Police Officer Michael Berges

Chief of Police Timothy Walsh introduced new Police Officer Michael "Alex" Berges. He stated that Alex is originally from Tennessee, but the family moved to Franklin County, Missouri when he was 10 years old. He graduated from Washington High School in 2006, and completed the

Missouri Sheriffs Training Academy 2010. Alex is married to Madeleine and they currently live in Union. Alex started working for the City of Manchester on March 14 and comes to us from the Warren County Sheriff's Department.

b. Introduction of Boy Scouts

Mayor Willson introduced Boy Scout Liam Smith of Troop 751 sponsored by St. Joseph Catholic Church and Boy Scout Nicholas Newman of Troop 630 sponsored by Christ Prince of Peace.

c. Comments from the Public

There were none.

6. REPORTS FROM THE MAYOR

a. Mayoral Presentation

Mayor David L. Willson said it was a pleasure to honor City Attorney Patrick Gunn for his 40 years of service to the City. Then, Mayor Willson presented a Proclamation to City Attorney Patrick R. Gunn for his service and dedication to the City of Manchester.

b. Mayoral Report

Mayor Willson reported that on April 7, he attended a staff meeting; on April 8, Manchester hosted the Lafayette Area Mayors' Organization meeting with the three School Superintendents (Parkway, Rockwood, and Special School District); on April 11, he attended the Planning and Zoning meeting; on April 12, along with Alderman Clement and City Administrator Hixson, he attended the National School of Character interview at Barretts School. He advised that they received the State School of Character and now they are up for the National School of Character, and on April 14, he attended the staff meeting. Also on April 14, along with Dave Fox and Kimberly Fels, Mayor Willson attended a meeting regarding free Christmas trees for veterans. He stated that the organization gets names from local groups, it will be a one day event, and it will be done at Eagle Bank with Mr. and Mrs. Claus present. Also on the 14<sup>th</sup> they met with Davey Tree regarding the Emerald Ash Borer; he also had a meeting at 4:00 p.m. with the St. Louis Metro Municipal League and he is now on the nominating committee. Mayor Willson stated that on April 17, he went to the Honors Musical Recital which was presented at the "Lyceum".

Alderman Clement added that it was a tremendous concert by the very best musicians that Parkway West and Parkway South have. These students are going on to the state competition. It was great to hear young great musicians. It was exciting to hear from the parents and the educators from Parkway on the great venue.

Mayor Willson stated he, along with City Administrator Hixson, Alderman Stevens, and Alderman Clement, went to Lafayette Industries for another one of their Manchester Art's programs. This time they did bubble art. He will be doing art again with Lafayette Industries next Monday, and he will be painting Fred Bird.

7. REPORTS FROM THE CITY ADMINISTRATOR

- a. List of Paid Bills (Warrant dates of April 3 – April 16, 2016)

There were no questions.

## 8. REPORTS FROM COMMITTEES

- a. Manchester Arts

Alderman Stevens explained the arts program offered to Lafayette Industries, and said that the Rotary Club is providing the funding and Manchester Arts provides the staff. She said the employees there have an opportunity to experience doing art in a variety of venues. She said there are five or six different venues where they get to experience the arts and they can do the artwork themselves or with minor assistance.

- b. Planning and Zoning Commission

Alderman Clement said they did meet a week ago to discuss four cases. There was a site plan for which the approval was tabled; the petitioner will be back next week with information requested. The other three were text amendments that all passed and will be in front of the Board.

- c. Homecoming Committee

Alderman Ottenad said the Homecoming Committee did not meet; and there will be no meeting in April.

## 9. ACTION ON OLD BILLS

- a. AN ORDINANCE APPROVING A TEXT AMENDMENT TO THE CITY'S CODE OF ORDINANCES REGARDING FENCE TYPES AND HEIGHTS IN RESIDENTIAL DISTRICTS

Alderman Hamill read for the second time Bill #16-2257, entitled: "AN ORDINANCE AMENDING SECTION 405.610(A) OF THE CODE OF ORDINANCES OF THE CITY OF MANCHESTER RELATING TO THE CONSTRUCTION OF FENCES ON CORNER LOTS IN THE RESIDENTIAL ZONING DISTRICTS OF THE CITY OF MANCHESTER", by title only.

Alderman Hamill made the motion that Bill #16-2257 become Ordinance #16-2141. The motion was seconded by Alderman Clement.

A poll of the Board showed:

Alderman Ottenad - aye  
Alderman Clement - aye  
Alderman Stevens - aye  
Alderman Hamill - aye  
Alderman Diehl - aye  
Alderman Baumann - aye

Mayor Willson announced the motion passed 6 – 0, with no objections.

- b. AN ORDINANCE APPROVING A TEXT AMENDMENT TO THE CITY'S CODE OF ORDINANCES REGARDING SPECIAL USES OF FINANCIAL INSTITUTIONS

Alderman Ottenad read for the second time Bill #16-2258, entitled: "AN ORDINANCE AMENDING SECTION 405.285.C OF THE CODE OF ORDINANCES OF THE CITY OF MANCHESTER BY ADDING THERETO A NEW SUB-SECTION (18) PERMITTING FINANCIAL INSTITUTIONS IN THE PLANNED BUSINESS DISTRICT OF THE CITY OF MANCHESTER WITH A SPECIAL USE PERMIT", by title only.

Alderman Ottenad made the motion that Bill #16-2258 become Ordinance #16-2142. The motion was seconded by Alderman Clement.

A poll of the Board showed:

Alderman Clement - aye  
Alderman Stevens - aye  
Alderman Hamill - aye  
Alderman Diehl - aye  
Alderman Baumann - aye  
Alderman Ottenad - aye

Mayor Willson announced the motion passed 6 – 0, with no objections.

- c. AN ORDINANCE APPROVING A SPECIAL USE PERMIT FOR A FINANCIAL INSTITUTION WITH A DRIVE THRU AT 14422 MANCHESTER ROAD

Alderman Ottenad read for the second time Bill #16-2259, entitled: "AN ORDINANCE CREATING A SPECIAL USE PERMIT AND GRANTING THE SAME TO NEIGHBORS CREDIT UNION TO OPERATE A BANKING INSTITUTION, WITH DRIVE-THROUGH FACILITY, AT 14422 MANCHESTER ROAD AS PROVIDED FOR IN 405.285 (C) (18) OF THE CODE OF ORDINANCES OF THE CITY OF MANCHESTER, COMMONLY KNOWN AS "THE ZONING ORDINANCE OF THE CITY OF MANCHESTER", by title only.

Alderman Ottenad made the motion that Bill #16-2259 become Ordinance #16-2143. The motion was seconded by Alderman Clement.

A poll of the Board showed:

Alderman Stevens - aye  
Alderman Hamill - aye  
Alderman Diehl - aye  
Alderman Baumann - aye  
Alderman Ottenad - aye  
Alderman Clement - aye

Mayor Willson announced the motion passed 6 – 0, with no objections.

10. INTRODUCTION OF NEW BILLS

a. BILL REGARDING MISSOURI CLEAN ENERGY DISTRICT

Alderman Clement introduced Bill #16-2260, entitled: “AN ORDINANCE TO ENABLE THE CITY OF MANCHESTER, MISSOURI, TO JOIN SHOW ME PACE AND TO JOIN MISSOURI CLEAN ENERGY DISTRICT, PURSUANT TO SECTIONS §67.2800 TO §67.2835, RSMO, THE “PROPERTY ASSESSED CLEAN ENERGY ACT,” AND STATING THE TERMS UNDER WHICH THE CITY WILL CONDUCT ACTIVITIES AS A MEMBER OF SUCH DISTRICT” by title only.

Director of Planning, Zoning, and Economic Development Erika Kennett stated that it is something the State of Missouri has passed and it is up to each municipality in order to participate in this kind of initiative. She said it is an incentive tool that the City can grant access to, but does not administer, and businesses can participate.

Director Kennett introduced Ann Hill with PACE Equity and David Pickerel, Executive of the Missouri Clean Energy Program.

Ms. Hill explained that PACE stands for Property Accessed Clean Energy. It is State Legislation that allows property owners a way to fund improvements to their facilities. They fund these improvements by placing a special assessment on their property. It is privately funded and administered by a district. The idea is that it is an economic development tool and an energy efficiency tool that is available to many cities, and the program doesn’t incur any cost risk for Manchester to provide it to the residents and business owners.

Mr. Pickerel added that the City has to pass an Ordinance to join. There is no cost to the City and will not add any burden to City staff. Companies have up to 20 years to pay back and can finance up to 100%.

Alderman Clement asked if they screen vendors.

Mr. Pickerel answered currently they require all contractors to file a contractor application form. They are not qualified to determine if a contractor is good or not, but they do require they provide a certificate of insurance. He said once it changes to residential it changes dramatically; any contractor will have to go through a training program. They will have a tracking system so any contractor or salesman who is found to be misrepresenting or over promising will not get the financing.

Alderman Clement asked about the special assessment and how it works.

Ms. Hill explained that the key difference between the assessment and a loan is that an assessment is secured by the property rather than by the owner. There is no personal guarantee associated with an assessment, and it doesn’t accelerate upon transfer of ownership. An owner can prepay at any time, but if the owner sells the property, and the assessment is not paid, that assessment can be transferred to the next owner.

Alderman Stevens asked about the flow chart. She asked about the approval process. She asked for an explanation of the escrow and the assessment payment.

Ms. Hill responded that if a property owner is interested in using PACE for a project, at closing on the project, all the PACE funds would be placed in an escrow account and when that property owner draws from the escrow account, they would have to show it goes towards PACE eligible measures. At the completion of construction, the assessment gets placed on the property, and once a year when they owner receives their property tax bill, there will be an additional line item that shows their PACE assessment which is separate from property taxes. She said once all payments on that assessment have been made, the assessment will go away.

Mr. Pickerel stated that they do not set up the escrow account. Once the project has been approved, they authorize the work to be done. He said they pay on completion, but the promise to pay is unconditional. He said the idea is that for contractors, before they start, they know they will be paid.

Alderman Stevens asked about solicitation which had been noted, and whether it is door-to-door solicitation.

Mr. Pickerel said the typical situation is if an air conditioner or furnace goes out, a resident will call a contractor who will come out and they will advertise that PACE financing is available, but door-to-door sales is generally not done in this business.

City Attorney Patrick Gunn asked if PACE were to venture into the residential component, whether they would come back for another agreement to be executed. He asked if this would be automatically available for residential users.

Mr. Pickerel answered it would be available for homeowners.

Attorney Gunn reviewed part of the City's Solicitation Ordinance information.

Alderman Ottenad asked about the possibility if the Board decides they just want this for commercial, whether it can be done only for commercial.

Alderman Clement said he would like to see what is proposed for residential.

City Attorney Gunn answered that he reached out to Shannon Creighton of Gilmore and Bell, as her firm is involved in its process, and he will be in discussing it more with her.

Alderman Stevens asked if there are any projections on when residential will be coming in the major populated areas.

Mr. Pickerel said that their first chance to be able to launch would be in July to the St. Louis area. The difference between commercial and residential is that commercial typically involves some sort of planning. Residential requests come because something is broken and needs to be fixed quickly.

Director Kennett commented that this is similar to the application process as the Ameren Act-On Energy program where they are providing the program but not providing to those who go out and market it. In this case, they are relying on the contractor to go out and promote PACE by the access and utilization of the tools, but they are not going out and committing PACE. They will work with the buyer and program together.



Alderman Stevens expressed concern about the residential component and solicitation.

City Attorney Gunn stated that he is envisioning that the Board may want to put a proviso in this Ordinance to limit it to commercial, not residential. He said he would talk with bond counsel, and said that it is his vision this could lead to solicitation and we are not interested in solicitation door to door.

There was more discussion about the door-to-door solicitation concern.

Alderman Clement stated the Board is not expressing opposition to the residential, it is that they need more information.

No further action at this time.

- b. BILL APPROVING AGREEMENT WITH AMEREN MISSOURI FOR LIGHTING OF PUBLIC PLACES AND OTHER ELECTRIC REQUIREMENTS OF THE CITY

Alderman Baumann introduced Bill #16-2261, entitled: "AN ORDINANCE PROVIDING FOR THE LIGHTING BY ELECTRICITY OF THE STREETS, AVENUES, ALLEYS, AND OTHER PUBLIC PLACES IN THE CITY OF MANCHESTER, IN THE STATE OF MISSOURI, AND OTHER ELECTRIC SERVICE REQUIREMENTS OF THE CITY, BY CONTRACT, SETTING FORTH THE TERMS OF THE PROPOSED CONTRACT THEREFORE BETWEEN THE CITY AND UNION ELECTRIC COMPANY D/B/A AMEREN MISSOURI, ITS SUCCESSORS AND ASSIGNS, AND PERMITTING SAID COMPANY TO ERECT, OPERATE, AND MAINTAIN POLES, LINES, WIRES, CABLES, TRANSFORMERS, AND OTHER APPLIANCES IN THE STREETS AND ALL OTHER PUBLIC PLACES, NECESSARY FOR AND APPRECIATE TO THE PERFORMANCE OF SAID CONTRACT AS DESCRIBED HEREIN", by title only.

Alderman Ottenad asked why the City is doing this.

City Attorney Gunn stated he believes we have done this before and we just need to do a renewal.

Alderman Clement expressed concern about utilities doing work and what they do to residential properties when doing work, such as leaving holes exposed, etc., which is a safety issue or esthetic issue. He wanted to make sure it doesn't validate their belief that they can continue to do that when the City is working to change behavior.

No further action at this time.

- c. BILL APPROVING AGREEMENT WITH AMEREN MISSOURI FOR THEM TO FURNISH NEW CONNECTION REPORTS TO THE CITY

Alderman Stevens introduced Bill #16-2262, entitled: "AN ORDINANCE AUTHORIZING THE NOTIFICATION OF NEW ELECTRIC CUSTOMERS TO THE CITY OF MANCHESTER", by title only.



Alderman Ottenad asked why they stopped giving the reports last October and whether the City was paying for them.

City Administrator Andy Hixson answered he is unsure why they stopped giving the reports, but the Board has to approve it for the City to start getting them again. He answered the City did not previously pay for the reports, but now there will be an annual fee.

City Attorney Gunn stated that Ameren had discontinued it, and they were going to completely discontinue the procedure, but there was a human cry from many cities that they depend on this information. He added that there was probably a budgetary concern in the process, so that is why they are charging now for this service.

Alderman Stevens made a motion for approval of emergency legislation. The motion was seconded by Alderman Baumann and carried unanimously, without objection.

Alderman Stevens read for the second time Bill #16-2262, entitled: "AN ORDINANCE AUTHORIZING THE NOTIFICATION OF NEW ELECTRIC CUSTOMERS TO THE CITY OF MANCHESTER", by title only.

Alderman Stevens made the motion that Bill #16-2262 become Ordinance #16-2144. The motion was seconded by Alderman Clement.

A poll of the Board showed:

Alderman Hamill - aye  
Alderman Diehl - aye  
Alderman Baumann - aye  
Alderman Ottenad - aye  
Alderman Clement - aye  
Alderman Stevens - aye

Mayor Willson announced the motion passed 6 – 0, with no objections.

d. RESOLUTION APPROVING THE PURCHASE OF A MEDIUM-DUTY  
TRUCK CAB AND CHASSIS FOR THE PUBLIC WORKS DEPARTMENT

Alderman Diehl read Proposed Resolution # 16-0560, entitled: "A RESOLUTION ACCEPTING THE BID OF TRUCK CENTERS, INC. IN THE AMOUNT OF SEVENTY-THREE THOUSAND EIGHT HUNDRED NINETY-FOUR DOLLARS (\$73,894.00) FOR THE PURCHASE OF ONE (1) 2017 FREIGHTLINER SINGLE AXLE TRUCK CAB AND CHASSIS FOR USE BY THE PUBLIC WORKS DEPARTMENT AND AUTHORIZING THE CITY ADMINISTRATOR OF THE CITY OF MANCHESTER TO ISSUE A PURCHASE ORDER THEREFOR", by title only.

Alderman Diehl made the motion to approve Resolution #16-0560. The motion was seconded by Alderman Hamill and carried unanimously, without objection.

e. RESOLUTION APPROVING CONTRACT FOR ASPHALT AND SURFACING  
OF BASKETBALL COURT AT THE PAUL SCHROEDER PARK

Alderman Diehl read Proposed Resolution #16-0560, entitled: “A RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR OF THE CITY OF MANCHESTER TO ENTER INTO A CONTRACT WITH MCCONNELL & ASSOCIATES CORP. IN AN AMOUNT NOT TO EXCEED THIRTY-NINE THOUSAND SEVEN HUNDRED EIGHTY-FIVE DOLLARS (\$39,785.00) FOR ALL TOOLS, LABOR, EQUIPMENT, MATERIALS, AND ALL WORK NECESSARY TO INSTALL A NEW BASKETBALL COURT IN PAUL SCHROEDER PARK”, by title only.

Alderman Clement asked about the timeline.

Director of Parks and Recreation Eileen Collins answered that the plan is to have it completed as quickly as possible.

Alderman Diehl made the motion to approve Resolution #16-0561. The motion was seconded by Alderman Clement and carried unanimously, without objection.

11. MISCELLANEOUS

a. Comments from the Public

There were none.

13. ADJOURNMENT

At 8:06 p.m., there being no further business, Alderman Clement made the motion to adjourn. The motion was seconded by Alderman Hamill and carried unanimously, without objection. The meeting adjourned at 8:06 p.m.

Respectfully submitted,

Ruth E. Baker, MMC/MPCC  
City Clerk

***Note:** This is a journal of the Board of Aldermen meeting held April 18, 2016 (summary); not a verbatim transcript. If a recording of the meeting is desired, please contact City Hall.*